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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/605,468	10/01/2003	Anthony R. Lemme	EIC100001000

CONFIRMATION NO. 2467

022891  
 DELIO & PETERSON  
 121 WHITNEY AVENUE  
 NEW HAVEN, CT 06510



\*OC000000013869340\*

Date Mailed: 09/22/2004

### Communication Regarding Rescission Of Nonpublication Request and/or Notice of Foreign Filing

Applicant's rescission of the previously-filed nonpublication request and/or notice of foreign filing is acknowledged. The paper has been reflected in the Patent and Trademark Office's (USPTO's) computer records so that the earliest possible projected publication date can be assigned.

The projected publication date is 04/07/2005.

If applicant rescinded the nonpublication request before or on the date of "foreign filing,"<sup>1</sup> then no notice of foreign filing is required.

If applicant foreign filed the application after filing the above application and before filing the rescission, and the rescission did not also include a notice of foreign filing, then a notice of foreign filing (not merely a rescission) is required to be filed within 45 days of the date of foreign filing. See 35 U.S.C. § 122(b)(2)(B)(iii), and Clarification of the United States Patent and Trademark Office's Interpretation of the Provisions of 35 U.S.C. § 122(b)(2)(B)(ii)-(iv), 1272 Off. Gaz. Pat. Office 22 (July 1, 2003).

If a notice of foreign filing is required and is not filed within 45 days of the date of foreign filing, then the application becomes abandoned pursuant to 35 U.S.C. § 122(b)(2)(B)(iii). In this situation, applicant should either file a petition to revive or notify the Office that the application is abandoned. See 37 CFR 1.137(f). Any such petition to revive will be forwarded to the Office of Petitions for a decision. Note that the filing of the petition will not operate to stay any period of reply that may be running against the application.

Questions regarding petitions to revive should be directed to the Office of Petitions at (703) 305-9282. Questions regarding publications of patent applications should be directed to the patent application publication hotline at (703) 605-4283 or by e-mail [pgpub@uspto.gov](mailto:pgpub@uspto.gov).

<sup>1</sup> Note, for purpose of this notice, that "foreign filing" means "filing an application directed to the same invention in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing".

PTO/SB/36 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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<b>RESCISSION OF PREVIOUS NONPUBLICATION REQUEST</b> (35 U.S.C. 122(b)(2)(B)(ii)) <b>AND, IF APPLICABLE,</b> <b>NOTICE OF FOREIGN FILING</b> (35 U.S.C. 122(b)(2)(B)(iii))	Application Number	10/605,468
	Filing Date	October 1, 2003
	First Named Inventor	Anthony R. Lemme
	Title	Motorized Vacuum/Pressure Pump and Stopper
	Atty Docket Number	EIC100001000
	Art Unit	3746
	Examiner	


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A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122(b)(2)(B)(i).

I hereby rescind the previous nonpublication request.

If a notice of foreign or international filing is or will be required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c), I hereby provide such notice. This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

If a notice of subsequent foreign or international filing required by 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c) was not filed within forty-five (45) days after the date of filing of the foreign or international application, the application is ABANDONED, and a petition to revive under 37 CFR 1.137(b) is required. See 37 CFR 1.137(f).

✓  September 22, 2004  
 Signature Date

Peter W. Peterson 31,867  
 Typed or printed name Registration Number, if

(203) 787-0595 PROCESSED BY  
 Telephone Number PG PUB DIVISION

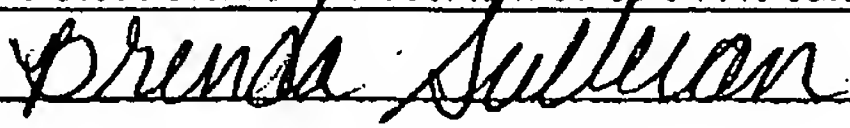
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This request must be signed in compliance with 37 CFR 1.33(b).

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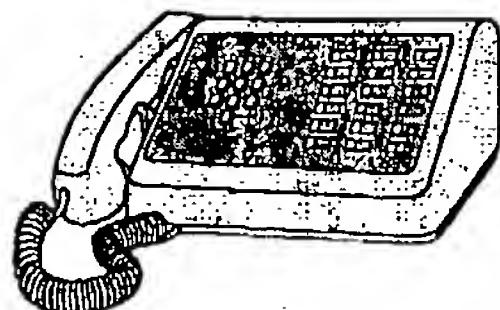
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<b>Our Ref.:</b>	<b>EIC100001000</b>	<b>Your Ref.:</b>	<b>10/605,468</b>
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